SUMMARY REPORT OF INVESTIGATION1

Date/Time/Location of Incident: June 22, 2016/11:02 p.m./ Chicago, Illinois 60629 Date/Time of COPA Notification: June 23, 2016/12:33 a.m. Star# Employee ID# DOA: Involved Officer #1: 00, Rank: Police Officer, Unit of assignment: District, DOB: 71, Female, Hispanic. Star# Employee ID# Involved Officer #2: 99, Rank: Police Officer, Unit of assignment: District, DOB: 74, Male, Hispanic. Star# Employee ID# Involved Officer #3: 07, Rank: Police Officer, Unit of assignment: DOA: District, DOB: 78, Male, White. Involved Individual #1: DOB: 94, Female, Hispanic. 04F-Escape / 01B-Racial/Ethnic Case Type:

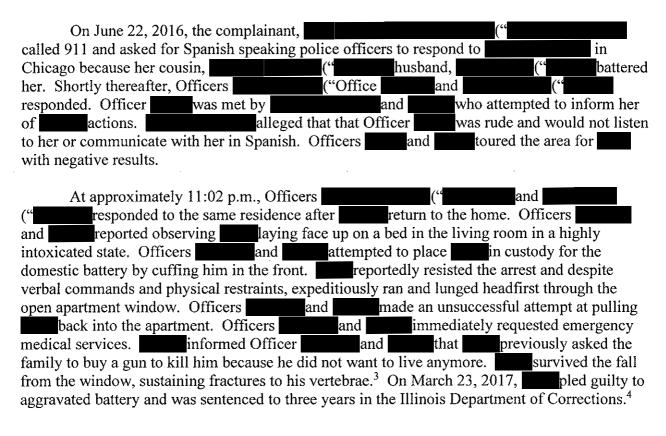
I. ALLEGATIONS

Officer	Allegation	Finding
Officer	1. It is alleged by that on June 22, 2016, at approximately 11:02 p.m., at Chicago, Illinois 60629, Office refused to communicate with her in Spanish.	Not Sustained
	2. It is alleged by that on June 22, 2016, at approximately 11:02 p.m., at Chicago, Illinois 60629, Officer made insulting comments to her in Spanish.	Not Sustained

¹ On September 15, 2017, the Civilian Office of Police Accountability (COPA) replaced the Independent Police Review Authority (IPRA) as the civilian oversight agency of the Chicago Police Department. Therefore, this investigation, which began under IPRA, was transferred to COPA on September 15, 2017, and the recommendation(s) set forth herein are the recommendation(s) of COPA.

Officer	1.It is alleged by COPA-Deputy Chief Administrator Angela Hearts-Glass that on June 22, 2016, at approximately 11:02 p.m., at St. Chicago, Illinois 60629, Officer failed to properly place into custody which allowed him to jump from the 2 nd -floor window.	Unfounded
Officer	1.It is alleged by COPA-Deputy Chief Administrator Angela-Hearts-Glass that on June 22, 2016, at approximately 11:02 p.m., at Chicago, Illinois 60629, Officer failed to properly place into custody which allowed him to jump from the 2nd-floor window.	Unfounded

II. SUMMARY OF EVIDENCE²



²COPA conducted a full and complete investigation of this matter, including the interview of all pertinent civilian and officer witnesses, and the collection and review of digital, documentary, and forensic evidence. As part of COPA's ongoing efforts to increase case closure capacity, certain cases opened under IPRA are summarized more succinctly in a Modified Summary Report of Investigation, pursuant to COPA Guideline Modified Summary Report of Investigation Template and Approvals, effective February 13, 2019.

³ Attachment 33

^{4 16}CR

III. ANALYSIS AND CONCLUSION

Legal Standard

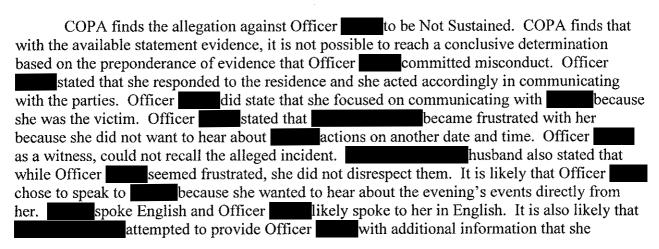
For each Allegation COPA must make one of the following findings:

- 1. Sustained where it is determined the allegation is supported by a preponderance of the evidence:
- 2. Not Sustained where it is determined there is insufficient evidence to prove the allegations by a preponderance of the evidence;
- 3. Unfounded where it is determined by clear and convincing evidence that an allegation is false or not factual; or
- 4. Exonerated where it is determined by clear and convincing evidence that the conduct described in the allegation occurred, but it is lawful and proper.

A preponderance of evidence can be described as evidence indicating that it is more likely than not that the conduct occurred and violated Department policy. See Avery v. State Farm Mutual Automobile Insurance Co., 216 Ill. 2d 100, 191 (2005), (a proposition is proved by a preponderance of the evidence when it has found to be more probably true than not). If the evidence gathered in an investigation establishes that it is more likely that the misconduct occurred, even if by a narrow margin, then the preponderance of the evidence standard is met.

Clear and convincing evidence is a higher standard than a preponderance of the evidence but lower than the "beyond-a-reasonable doubt" standard required to convict a person of a criminal offense. See e.g., People v. Coan, 2016 IL App (2d) 151036 (2016). Clear and Convincing can be defined as a "degree of proof, which, considering all the evidence in the case, produces the firm and abiding belief that it is highly probable that the proposition . . . is true." Id. at ¶28.

Officer ____



considered important, consistently interrupting C to become frustrated. With the limited evidence, Officer actions rose to the level of misco	, however, it is not possible to determine if
Officers and and	
Officers and handcuffed in at the time. Officers and with a highly intoxicated was about 2 to 3 feet from the apbeing handcuffed, dashed towards the window are abrupt and unpredictable, and not expected by eight officers and reacted quickly by inside.	and and the civilian witnesses present partment's open window and within seconds of actions were ther Officers or Despite this, running after and trying to pull him back indow and considerable size made Officers PA finds that although was able to jump officers, as his actions could not have been
Approved:	•
	7-31-19
Angela Hearts-Glass	Date
Deputy Chief Administrator – Chief Investigator	r

⁵ GO6-01-02 Restraining Arrestees Effective 1/1/2016, states that when feasible, an arrestee will be handcuffed with both hands behind the back and palms positioned outwards.

Appendix A

Assigned Investigative Staff

Squad#:	
Investigator:	
Supervising Investigator:	
Deputy Chief Administrator:	Angela-Hearts-Glass